

UNITED STATES DISTRICT COURT
for the
Southern District of Mississippi



In the Matter of the Search of
*(Briefly describe the property to be searched
or identify the person by name and address)*
 PECO FOODS
 1039 West Fulton Street, Canton, MS 39046
 as described in Attachment A

)
)
)
 Case No.

3:19mj 207 LRA

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

See Attachment A.

located in the Southern District of Mississippi, there is now concealed (*identify the person or describe the property to be seized*):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
8 USC 1324(a)

Offense Description
Unlawful Employment of Aliens

The application is based on these facts:

See affidavit of SA Anthony Todd Williams, Jr., which is attached and incorporated by reference herein.

- Continued on the attached sheet.
- Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Anthony Todd Williams
Applicant's signature

Anthony Todd Williams, Jr., SA HSI
Printed name and title

Sworn to before me and signed in my presence.

Date: 08/05/2019

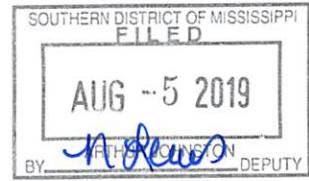
Linda R. Anderson
Judge's signature

City and state: Jackson, MS

Linda R. Anderson, United States Magistrate Judge
Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

IN THE MATTER OF THE SEARCH OF
PECO FOODS
1039 WEST FULTON STREET
CANTON, MS 39046



Case No. 3:19-mj-207 LRA

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Anthony Todd Williams Jr., being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant to search the following premises and seize the items listed in Attachment B:

a. The business is located at 1039 West Fulton Street, Canton, Mississippi 39046, and its curtilage and outbuildings, appurtenances, and attached and detached garages and vehicles and trailers located on such curtilage, including any and all parking lots; more particularly described in Attachment A.

2. This affidavit sets forth facts establishing probable cause to believe that PECO FOODS and others are willfully and unlawfully employing illegal aliens in violation of Federal Law and within the locations which are further described in Attachment A, currently exists those items, set forth in Attachment B, which constitutes evidence, instrumentalities, contraband and/or fruits of the violations.

3. I am a Special Agent with Homeland Security Investigations (“HSI”), within United States Immigration and Customs Enforcement (“ICE”). I am assigned to the Office of the Resident Agent in Charge, Jackson, Mississippi. I have been trained specifically in the

investigation and elements of federal crimes at the Federal Law Enforcement Training Center at Glynco, Georgia. I hold Bachelors of Art and Masters of Science degrees in Criminal Justice from the University of Southern Mississippi. I am also a graduate of the United States Border Patrol Academy at the Federal Law Enforcement Training Center in Artesia, New Mexico. I have approximately 10 years of experience as a federal law enforcement officer and criminal investigator.

4. My experience as a federal law enforcement officer and criminal investigator includes the investigation and prosecution of violations of criminal laws relating to unlawful entry, employment, and physical presence in the United States of individuals subject to the Immigration and Nationality Act. My current duties include conducting criminal investigations of violations of Federal Statutes and administrative violations of the Immigration and Nationality Act and Title 18 of the United States Code. As part of these duties, I have become involved in the investigation of suspected violations of Title 8, United States Code, Section 1324(a), Unlawful Employment of Aliens. Through formal and on the job training, I am experienced in crimes involving the unlawful employment of aliens. I have participated in the execution of numerous search warrants for documents and other evidence, including computers and electronic media.

5. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. This affidavit is based on my knowledge arising from my participation in this investigation; upon information provided to me by other HSI agents, law enforcement officers and government officials jointly participating in this investigation. Because this affidavit is being submitted for

the limited purpose of establishing probable cause for the issuance of a search warrant, it does not contain every fact known to me or other agents of HSI.

6. Section 274A of the Immigration and Reform Act of 1986 (IRCA) contains provisions which require all employers to verify the employment eligibility of all new employees hired after November 6, 1986. The Form I-9 (Employment Eligibility Verification), hereto referred to as the Form I-9, was developed for verifying that persons are eligible to work in the United States. Employers must ensure the Form I-9 is completed every time a person is hired to perform labor or services in return for wages or other remuneration. Any person who, during any 12-month period, knowingly hires for employment at least 10 individuals with actual knowledge that the individuals are unauthorized aliens is in violation of Title 8 United States Code 1324(a)(3)(A).

7. Intentional hiring of unauthorized aliens is a violation of Title 8 United States Code, Section 1324(a). A person or entity which engages in a pattern and practice of violations in this Section shall be fined no more than \$3000 for each unauthorized alien with whom such a violation occurs, imprisoned for not more than six months for the entire pattern or practice, or both, notwithstanding the provisions of any other Federal law relating to fine levels.

8. A person who violates Title 8, United States Code, Section 1324, subparagraph (A), and in which the offense was done for the purpose of commercial advantage or private financial gain in is violation of Title 8, United States Code, Section 1324(a)(1)(B)(i).

9. Intentional false statements, by making or using any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement on the Form I-9 is a felony violation of Title 18 United States Code, Section 1001.

10. The Form I-9 is comprised of three Sections. Section 1 is to be completed by the employee at the time of hire. This Section contains the fields of name, address, date of birth, social security number, and the attestation of the employee as to their immigration status in the United States. Section 2 is to be completed by the employer and consists of three separate columns for List A, List B, and List C documents. The employer is required to examine original documents presented by an employee and then complete this Section within three (3) days of the date the employment begins. Some documents such as United States Passports, Certificates of Naturalization, Alien Registration Cards or Employment Authorization Cards establish both identity and employment eligibility (List A). Other documents such as Drivers Licenses, and Voter Registrations Cards establish identity only (List B), while documents such as Social Security Cards and birth certificates establish employment eligibility only (List C). In order for an employee to be deemed eligible to work by the employer, that employer must examine both one (1) document from List A, or one document from List B and one document from List C. If employees are unable to present the required document(s) within 3 business days of the date the employment begins, they must present a receipt for the application for the document within three business days. Employers must retain all I-9(s) for 3 years after the date of employment begins or 1 year after the person's employment is terminated, whichever is later. Section 3 is completed by the employer to re-verify the employment authorization for current employees. When an employee's work authorization expires, employers are required to re-verify on the form I-9 not later than the date the employee's work authorization expires.

11. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of Title 8 and Title 18 of United States Code have been committed by PECO FOODS and others. There is also probable cause to search the

premises described in Attachment A for evidence of these crimes and contraband or fruits of these crimes, as described in Attachment B.

PROBABLE CAUSE

12. Open source queries for PECO FOODS revealed website <http://www.pecofoods.com>. According to the website's homepage, PECO FOODS is a fully integrated poultry processing and packaging company with a corporate office located in Tuscaloosa, Alabama, and processing plants throughout Mississippi, Alabama, and Arkansas. According to the website's "About Us" page, PECO FOODS is the eighth largest poultry producer in the United States producing 24 million pounds of poultry per week, and is privately held and family managed. The website's "About Us" page lists processing plants in the below locations:

Tuscaloosa, Alabama

Bay Springs, Mississippi

Sebastopol, Mississippi

Canton, Mississippi

Brooksville, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

The website's "About Us" page lists live operations offices in the below locations:

Gordo, Alabama

Bay Springs, Mississippi

Sebastopol, Mississippi

Philadelphia, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

13. The website's "About Us" page lists feed mills in the below locations:

Gordo, Alabama

Bay Springs, Mississippi

Lake, Mississippi

Philadelphia, Mississippi

Newark, Arkansas

Corning, Arkansas

14. The website's "About Us" page lists hatcheries in the below locations:

Gordo, Alabama

Sebastopol, Mississippi

Philadelphia, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

HISTORICAL ICE ENCOUNTERS/ARRESTS

15. Queries of the Enforcement Integrated Database Arrest Graphic User Interface for Law Enforcement (EAGLE) revealed approximately 222 historical ICE encounters and/or arrests (from November 18, 2002 to June 13, 2019) of illegal aliens who during processing indicated employment at PECO FOODS. In addition to indicating employment at PECO FOODS, numerous of the illegal aliens presented agents with PECO FOODS employment identification documents (IDs), containing their photographs and assumed identities utilized for employment.

16. On June 20, 2012, Leonel Gomez-Gomez, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE Enforcement and Removal Operations (ERO) office during Criminal Alien Program (CAP) checks at the Madison County Jail in Canton, Mississippi. According to ICE records, Gomez-Gomez admitted to being a citizen of Guatemala and did not possess legal documents to work or reside in the United States. Gomez-Gomez was administratively arrested by ERO Jackson. ICE records listed the “Name and Address of (Last)(Current) United States Employer” as “PECO FOODS US.” During processing Gomez-Gomez presented a Peco Foods ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Leonel Gomez-Gomez

The name Gustavo Oropeza Jr.

“Peco Foods, Inc.”

The back of the PECO FOODS ID card contained the below identifiers:

“This card is the property of PECO.”

“If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-859-6161.”

“If found please drop in any United States Mailbox

Return Postage Guaranteed

Peco Foods, Inc

P.O.Box 419

Canton, MS 39046”

17. Open source queries for phone number 601-859-6161 revealed website www.pecofoods.com/contacts.php. The PECO FOODS webpage listed contact information for all their locations including:

“Peco Foods, Inc. – Canton West Fulton Street Processing Plant
1039 West Fulton Street
Canton, MS 39046
Phone: (601) 859-6161”

18. On January 8, 2014, Lucas Santizo-Carmelo, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE ERO office during CAP checks at the Madison County Jail in Canton, Mississippi. According to ICE records, Santizo-Carmelo admitted to being a citizen of Guatemala and did not possess legal documents to work or reside in the United States. Santizo-Carmelo was administratively arrested by ERO Jackson. ICE records listed the “Name and Address of (Last)(Current) United States Employer” as “PECO FOODS.” During processing Santizo-Carmelo presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Lucas Santizo-Carmelo

The name Ricardo Loera

“Peco Foods, Inc.”

The back of the PECO FOODS ID card contained the below identifiers:

“This card is the property of PECO.”

“If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-859-6161.”

“If found please drop in any United States Mailbox

Return Postage Guaranteed

Peco Foods, Inc

P.O.Box 419

Canton, MS 39046"

19. On July 26, 2017, Gilberto Rafael Romero-Lopez, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE ERO office during a Field Operation Worksheet (FOW) search in Canton, Mississippi for the subject. According to ICE records, ICE officers received information that the subject was possibly working at PECO FOODS in Canton, Mississippi. ICE officers made contact with the plant manager and human resources staff. A Spanish translator employed by PECO FOODS recognized a photo of the subject as an employee working in the plant. PECO FOODS Management escorted the identified employee into a private conference room. ICE Officers were able to positively identify the individual as Gilberto Rafael Romero-Lopez, the target of the FOW, using a photograph from his previous immigration encounter. ICE officers identified themselves as Deportation Officers with ICE and requested identification from the subject. Subject stated that his name was Benivamonde Martin. During the interview with ICE officers, Romero-Lopez admitted to being a citizen of Guatemala and did not possess legal documents to work or reside in the United States. Romero-Lopez was administratively arrested by ERO Jackson and transported for processing. PECO FOODS provided ICE officers with a "Peco Foods of Mississippi, Inc. Employee Detail" printout associated with Romero-Lopez. It contained a photograph of Gilberto Rafael Romero-Lopez and listed the below information:

Personal

Martin Benivamonde

Date of Birth: 07/24/XXXX

SSN: XXX-XX-5396

Administrative

Location: West Fulton Street Plant

Department: 104 Debone Days

Title: DAYS (REHIRE)

Employee ID: 7849

Status: Active

Hours: Full-Time

Hire Date: 05/30/2017

Supervisor: Clara Kincaid

20. Analysis of the above "Peco Foods of Mississippi, Inc. Employee Detail"

printout for Gilberto Rafael Romero-Lopez revealed he was working at the PECO FOODS, Inc. – Canton West Fulton Street Processing Plant (1039 West Fulton Street, Canton, MS 39046) at the time of his arrest by ICE on July 26, 2017.

21. During processing Romero-Lopez presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Gilberto Rafael Romero-Lopez

The name Martin Benivamonde

"Peco Foods, Inc."

The back of the Peco Foods ID card contained the below identifiers:

"This card is the property of PECO."

“If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-855-5001.”

“If found please drop in any United States Mailbox

Return Postage Guaranteed

Peco Foods, Inc

P.O. Box 419

Canton, MS 39046”

22. Open source queries for phone number 601-855-5001 revealed website

[https://iaspub.epa.gov/triexplorer/release_fac_profile?TRI=39046MRSHLOLDL&year=2010&trilib=TRIQ1&FLD=&FLD=&FLD=&OFFDISPD=&OTHDISPD=&ONDISPD=&OTHOFFD](https://iaspub.epa.gov/triexplorer/release_fac_profile?TRI=39046MRSHLOLDL&year=2010&trilib=TRIQ1&FLD=&FLD=&FLD=&OFFDISPD=&OTHDISPD=&ONDISPD=&OTHOFFD=)

=. The United States Environmental Protection Agency website contained a Facility Profile

Report for PECO FOODS Inc., and listed the below information:

“TRI Facility Name: Peco Foods Inc.

Address: 1039 W Fulton St, Canton Mississippi 39046 (Madison)

County: Madison

Public Contact: Charles A. Pierce

Phone Number: 601-855-5001

ALTERNATIVES TO DETENTION

23. ICE routinely utilizes the Alternatives to Detention (ATD) Program for subjects in ICE custody. The Alternatives to Detention Program is a flight-mitigation tool that uses technology and case management to ensure compliance with release conditions and facilitate alien compliance with court hearings and final orders of removal while allowing aliens to remain in their community contributing to their families, community organizations, and, if necessary,

wrapping-up their affairs in the United States as they move through immigration proceedings.

The ATD Program is not a substitute for detention nor is it used as a removal tool; however, the program may be appropriate for an alien who is released pursuant to: an Order of Release on Recognizance (OREC), an Order of Supervision (OSUP), a grant of parole; or a bond (unless the immigration judge or board of immigration appeals has determined custody and did not include ATD as a provision). To be eligible for the ATD program participants must be adults 18 years of age or older, be removable, and be at some stage of immigration proceedings. The ATD Program supervises participants, with contractor support, utilizing a combination of home visits, office visits, alert response, court tracking, and technology. The current government contractor (BI Inc.) for ATD operates under the Intensive Supervision Appearance Program (ISAP). The contract known as ISAP III allows ATD officers the ability to determine the frequency of home and office visits, types of technology, telephonic, GPS or SmartLink, court and alert management. Case management levels and technology assignment can be reviewed and adjusted by the ATD officer at any time depending upon change in circumstances and compliance.

24. The ATD Program utilizes three (3) different forms of technology that help monitor participants while enrolled in the program. The forms of technology include:

- a. Telephonic reporting utilizes a participant's voice to create a biometric voiceprint during the enrollment process, every time the participant calls in his/her voice is compared against the voiceprint.
- b. GPS monitoring requires at least three (3) satellites to locate a unit attached to the participant's ankle. When a participant is within range of more than three satellites a GPS unit give more accurate data regarding the participant's location.

c. SmartLink enables ATD officers and case specialists to keep participants focused on the conditions of release via their smartphone or tablet, they are able to verify a participant's identity, determine their location, and quickly collect status change information.

25. Enrollment in the ATD program does not grant any immigration benefits including employment authorization.

ILLEGAL ALIENS ENROLLED IN ATD & EMPLOYED BY PECO FOODS

26. Queries of the subjects enrolled in the ICE ERO Jackson ATD program revealed 21 illegal aliens worked at PECO FOODS processing plants in Mississippi. Of the 21 identified illegal aliens currently working at PECO FOODS processing plants in Mississippi, 14 illegal aliens, as of July 29, 2019, worked at the PECO FOODS processing plant in Canton, Mississippi (1039 West Fulton Street, Canton, Mississippi 39046.)

27. Below are examples of subjects currently enrolled in the ICE/ERO Jackson ATD program who have reported working for PECO FOODS and the analysis of historical GPS coordinates for the subjects, along with their history:

28. On April 24, 2016, Yuri Diaz-Sanchez, a Guatemalan national, was encountered by USBP agents near San Luis, Arizona. At the time of the encounter, USBP agents determined Diaz-Sanchez did not possess legal documents to work or reside in the United States. Diaz-Sanchez was administratively arrested by USBP and transported for processing. Diaz-Sanchez was processed as a Notice to Appear and turned over to ICE for custody determination. Diaz-Sanchez provided ICE with an address of 611 Terry Lane, Carthage, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

29. Queries of the historical GPS coordinates associated with Yuri Diaz-Sanchez's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Canton West Fulton Street Processing Plant. Historical GPS coordinates also revealed Diaz-Sanchez travels from Carthage, Mississippi, to the PECO FOODS Canton West Fulton Street Processing Plant multiple times a week. Upon arriving at the PECO FOODS Canton West Fulton Street Processing Plant, Diaz-Sanchez remains on the PECO FOODS Canton West Fulton Street Processing Plant property for approximately 10 hours. For example, on April 11, 2019, at approximately 5:30 am Diaz-Sanchez left her residence and began travelling to the PECO FOODS Canton West Fulton Street Processing Plant. Diaz-Sanchez arrived at the PECO FOODS Canton West Fulton Street Processing Plant at approximately 6:10 am. Diaz-Sanchez remained at the PECO FOODS Canton West Fulton Street Processing Plant until approximately 3:14 pm, when she departed and returned to her residence.

30. Record checks for Yuri Diaz-Sanchez revealed she does not have employment authorization from the United States Department of Homeland Security.

31. On August 17, 2015, Fabiola Gabriel-Coronado, a Guatemalan national, was encountered by USBP agents near the Rio Grande Valley, Texas, area. At the time of the encounter, USBP agents determined Gabriel-Coronado did not possess legal documents to work or reside in the United States. Gabriel-Coronado was administratively arrested by USBP and transported for processing. Gabriel-Coronado was processed as a Re-instate and turned over to ICE for custody determination. Gabriel-Coronado provided ICE with an address of 315 Harvey Watkins Drive South, Madison, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

32. Queries of the historical GPS coordinates associated with Fabiola Gabriel-Coronado's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Canton West Fulton Street Processing Plant. Historical GPS coordinates also revealed Gabriel-Coronado travels from Madison, Mississippi, to the PECO FOODS Canton West Fulton Street Processing Plant multiple times a week. Upon arriving at the PECO FOODS Canton West Fulton Street Processing Plant, Gabriel-Coronado remains on the PECO FOODS Canton West Fulton Street Processing Plant property for approximately 10 hours. For example, on July 25, 2019, at approximately 10:50 pm Gabriel-Coronado left her residence and began travelling to the PECO FOODS Canton West Fulton Street Processing Plant. Gabriel-Coronado arrived at the PECO FOODS Canton West Fulton Street Processing Plant at approximately 10:55 pm. Gabriel-Coronado remained at the PECO FOODS Canton West Fulton Street Processing Plant until approximately 7:55 am on July 26, 2019, when she departed.

33. Record checks for Fabiola Gabriel-Coronado revealed she does not have employment authorization from the United States Department of Homeland Security.

34. On May 14, 2018, Albertina Gonzalez-Ramirez, a Guatemalan national, was encountered by USBP agents near the Rio Grande Valley, Texas, area. At the time of the encounter, USBP agents determined Gonzalez-Ramirez did not possess legal documents to work or reside in the United States. Gonzalez-Ramirez was administratively arrested by USBP and transported for processing. Gonzalez-Ramirez was processed as a Notice to Appear and turned over to ICE for custody determination. Gonzalez-Ramirez provided ICE with an address of 305 Fernwood Drive South, Carthage, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

35. Queries of the historical GPS coordinates associated with Albertina Gonzalez-Ramirez's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Canton West Fulton Street Processing Plant. Historical GPS coordinates also revealed Gonzalez-Ramirez travels from Carthage, Mississippi, to the PECO FOODS Canton West Fulton Street Processing Plant multiple times a week. Upon arriving at the PECO FOODS Canton West Fulton Street Processing Plant, Gonzalez-Ramirez remains on the PECO FOODS Canton West Fulton Street Processing Plant property for approximately 10 hours. For example, on July 25, 2019, at approximately 10:20 pm Gonzalez-Ramirez left Carthage, Mississippi, and began travelling to the PECO FOODS Canton West Fulton Street Processing Plant. Gonzalez-Ramirez arrived at the PECO FOODS Canton West Fulton Street Processing Plant at approximately 10:50 pm. Gonzalez-Ramirez remained at the PECO FOODS Canton West Fulton Street Processing Plant until approximately 8:23 am, when she departed and returned to Carthage, Mississippi.

36. Record checks for Albertina Gonzalez-Ramirez revealed she does not have employment authorization from the United States Department of Homeland Security.

INTERVIEWS OF ATD ENROLLEES WORKING AT PECO FOODS

37. On May 08, 2019, HSI SA Todd Williams and ICE ERO Deportation Officer (DO) Francisco Ayala conducted an interview of Brenda Soledad Lopez-Lopez at the HSI Jackson, Mississippi office. During the interview, Lopez-Lopez stated that she is a Guatemalan national that illegally entered the United States on or about August 2018. Lopez-Lopez stated that she has been employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, MS) for approximately eight to nine months. According to Lopez-Lopez she illegally purchased a fraudulent Tennessee identification

document (ID) containing her photograph, a copy of a social security card, and a copy of a United States birth certificate from an unknown Guatemalan female known as “Aura” for approximately \$600.00. Lopez-Lopez stated that all three documents contained the personal identifying information (PII) belonging to Shaela P. Cortez.

38. A search of Mississippi Department of Employment Security records containing Employer’s Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Shaela P. Cortez (social security number XXX-XX-0189) earned \$6,792.13. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Brenda Soledad Lopez-Lopez was not earning wages.

39. On May 14, 2019, HSI SA Todd Williams and ICE DO Francisco Ayala conducted an interview of Yuri Diaz-Sanchez at the HSI Jackson, Mississippi office. During the interview, Diaz-Sanchez stated that she is a Guatemalan national that illegally entered the United States approximately three years ago with her two Guatemalan children. Diaz-Sanchez stated that she has been employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, MS) for approximately two years. According to Diaz-Sanchez she illegally purchased a fraudulent Tennessee identification document (ID) containing her photograph, and the personal identifying information (PII) belonging to Elizabeth Dominguez to gain employment at PECO FOODS.

40. A search of Mississippi Department of Employment Security records containing Employer’s Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Elizabeth Dominguez (social security number XXX-XX-0073) earned \$6,442.31. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Yuri Diaz-Sanchez was not earning wages.

RECENT ARRESTS OF ILLEGAL ALIENS EMPLOYED BY PECO FOODS

41. On June 04, 2019, ICE officers encountered Edwin Westphal Ramirez-Cardona, an illegal alien from Guatemala, while conducting Criminal Alien Program (CAP) duties at the Madison County Detention Center in Canton, Mississippi. Ramirez-Cardona, was administratively arrested by ICE officers and transported to the ERO Jackson, Mississippi, office for administrative processing.

42. During administrative processing, Edwin Westphal Ramirez-Cardona stated he was currently employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, Mississippi) as a chicken packer on the night shift (i.e., 11:00 pm – 9:00 am.) Ramirez-Cardona stated that he has worked at PECO FOODS for the past two years and utilized the name Juan Luciano to gain employment. According to Ramirez-Cardona, he paid approximately \$300.00 to an unknown subject to purchase the social security number he utilized to gain employment.

43. A search of Mississippi Department of Employment Security records containing Employer's Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Juan C Luciano (social security number XXX-XX-3480) earned \$9,467.90. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Edwin Westphal Ramirez-Cardona was not earning wages.

44. On June 06, 2019, HSI SA Todd Williams and ICE DO Francisco Ayala conducted a telephonic interview of aggravated identity theft victim Juan Carlos Martinez-Luciano. During the interview, Martinez-Luciano, a native of Puerto Rico, acknowledged that he knew his personal identifying information (PII) was compromised. According to Martinez-Luciano, approximately a year ago he lost his wallet along with his identification documents

(IDs) in Puerto Rico. Martinez-Luciano stated that he was recently contacted by the Internal Revenue Service (IRS) via mail, and informed that an unknown subject had utilized his PII to illegally gain employment in the United States. Martinez-Luciano stated that he has never worked at PECO FOODS in Mississippi. Additionally, Martinez-Luciano stated that he has never given anyone permission to utilize his PII to gain employment.

45. On June 13, 2019, ICE officers encountered Jaime Orlando Agustin-Felix, an illegal alien from Guatemala, while conducting CAP duties at the Madison County Detention Center in Canton, Mississippi. Agustin-Felix, was administratively arrested by ICE officers and transported to the ERO Jackson, Mississippi, office for administrative processing.

46. During administrative processing, Jaime Orlando Agustin-Felix stated he was currently employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, Mississippi) on the cleaning crew (i.e., 4:00 pm to 10:00 pm.) Agustin-Felix stated that he has worked at PECO FOODS for the past 12 years and utilized his birth given name Jaime Orlando Agustin-Felix to gain employment.

47. A search of Mississippi Department of Employment Security records containing Employer's Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Jaime Agustin (social security number XXX-XX-8392) earned \$8,319.61.

48. Additional record checks for social security number XXX-XX-8392, utilized by Jaime Orlando Agustin-Felix to work at PECO FOODS revealed negative results, suggesting the number has never been assigned.

49. On July 09, 2019, ICE officers encountered Byron Vicente Lopez-Perez, an illegal alien from Guatemala, while conducting CAP duties at the Madison County Detention

Center in Canton, Mississippi. Lopez-Perez, was administratively arrested by ICE officers and transported to the ERO Jackson, Mississippi, office for administrative processing.

50. On July 09, 2019, at approximately 11:30 am, HSI SA Todd Williams and ICE ERO DO Francisco Ayala conducted an interview of Byron Vicente Lopez-Perez at the HSI/ERO Jackson, Mississippi office. During the interview, Lopez-Perez stated he was currently employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, Mississippi) as a forklift driver on the day shift (i.e., 7:00 am to 5:00 pm.) Lopez-Perez stated that he has worked at PECO FOODS for the past 4 years and utilized the personal identifying information of Manuel Garcia to gain employment. According to Lopez-Perez, he paid approximately \$1,000.00 to an unknown subject to purchase the Tennessee identification document and social security number he utilized to gain employment.

51. A search of Mississippi Department of Employment Security records containing Employer's Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Manuel Garcia (social security number XXX-XX-1421) earned \$12,110.56 and Manuel Garcia (social security number XXX-XX-6337) earned \$10,189.66. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Byron Vicente Lopez-Perez was not earning wages.

52. This affidavit is being submitted simultaneously with an administrative warrant for inspection to search at Peco Foods, Inc. – Canton West Fulton Street Processing Plant, located at 1039 West Fulton Street Canton, MS 39046, for persons believed to be working in the United States without authorization.

CONCLUSION

53. Based on the facts and information as stated in this affidavit and my training and experience, I submit that this affidavit supports probable cause for a warrant to search the PREMISES described in Attachment A to seize the items described in Attachment B.

54. Based upon my training and experience, combined with the facts and observations set forth in the foregoing paragraphs, I have reason to believe and do believe there exists probable cause that evidence of violations of Title 8, United States Code, Section 1324(a), Unlawful Employment of Aliens, Title 18, United States Code, Section 1001, Title 18, United States Code, Section 1546(a), Fraud and misuse of visas, permits, and other documents to gain employment, Title 18, United States Code, Section 1028(a)(7), Fraud and related activity in connection with identification documents, authentications features, and information, Title 18, United States Code, Section 1015(e), False statement to obtain benefits or employment, Title 18, United States Code, Section 911, False claim to be a Citizen of the United States, and Title 42, United States Code, Section 408(a)(7)(B), Use of Unauthorized Social Security Number, and fruits of such crimes or property designed, intended for or used for such crimes are located at the PREMISES described in Attachment A.

55. In consideration of the facts presented, I respectfully request that this Court issue a search warrant for the premises located at 1039 West Fulton Street, Canton, Mississippi 39046, and all appurtenances thereto as more fully described in Attachment A and authorize the seizure of the items described in Attachment B to this Affidavit.

REQUEST FOR SEALING

56. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These

documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Respectfully submitted,

Anthony Todd Williams Jr.
Anthony Todd Williams Jr.
Special Agent
US Immigration and Customs Enforcement
Homeland Security Investigations

Subscribed and sworn to before me on the 5th day of August, 2019.

Linda R. Anderson
LINDA R. ANDERSON
UNITED STATES MAGISTRATE JUDGE